

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VINCE VALENTINO, INDIVIDUALLY)
AND ON BEHALF OF ALL OTHERS)
SIMILARLY SITUATED,)
Plaintiff,) Case No. 8:13-CV-00022-LSC-FG3
v.)
KPMG LLP, JOHN J. AESOPH, AND)
DARREN M. BENNET;) **MOTION AND STIPULATION**
Defendants.) **EXTENDING TIME TO**
) **RESPOND TO THE COMPLAINT**

WHEREAS, on or about January 14, 2013, Plaintiff Vince Valentino (“Plaintiff”), through his counsel, filed a putative class action complaint in the above-captioned action (the “Complaint”) against KPMG LLP, John J. Aesoph, and Darren M. Bennett (collectively, “Defendants”);

WHEREAS, this stipulation is entered into without prejudice to further extensions;
NOW, THEREFORE, the undersigned parties to this action, by and through their counsel, hereby agree as follows:

1. Sidley Austin LLP agrees to accept service on behalf of each Defendant.
2. In accordance with the Private Securities Litigation Reform Act (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(A)(i), Plaintiff or any other member of the purported class shall move this Court on or before March 18, 2013 to serve as lead plaintiff of the purported class.
3. Plaintiff shall have sixty (60) days from the date that the Court enters an order appointing lead plaintiff and lead counsel under the PSLRA, 15 U.S.C. § 78u-4(a)(3)(B)(i), within which to file an amended complaint or notify Defendants that it does not intend to file an amended complaint.

4. Defendants shall have sixty (60) days from the date Plaintiff serves its amended complaint, or notice that it does not intend to file an amended complaint, to move, answer, or otherwise respond with respect to the operative complaint. Defendants have no obligation at this time to move, answer, or otherwise respond to the Complaint.

5. If Defendants move to dismiss the operative complaint, plaintiff shall have sixty (60) days from the receipt of Defendants' motion to file an opposition thereto.

6. Following the receipt of Plaintiff's opposition, Defendants shall have thirty (30) days to file reply papers in further support of their motion to dismiss.

7. It is hereby further stipulated that the parties reserve all rights and defenses they may have, and entry into this stipulation shall not impair or otherwise affect such rights and defenses, including defenses based on lack of personal jurisdiction or other challenges to the venue or jurisdiction of this Court or any other Court, and all such rights and defenses are expressly preserved.

The parties to this stipulation respectfully request that the Court approve the schedule and agreement set forth above. The parties represent that no previous extensions of time have been requested or granted.

Dated: January 25, 2013

/s/ Phillip Kim
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JOHN J. AESOPH, AND DARREN M.
BENNET*